

# EXHIBIT 38

1 IN RE: PEOPLE VS. JAMES FLETCHER

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GJ# 355

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ARR. DATE: 5-31-02

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02 CR 12937

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BEFORE THE GRAND JURY OF COOK COUNTY

9

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MAY 2002

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TRANSCRIPT OF TESTIMONY TAKEN IN

14

THE ABOVE ENTITLED MATTER ON MAY 10, 2002.

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PRESENT: MS. KATHALEEN LANAHAN  
ASSISTANT STATE'S ATTORNEY

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REPORTED BY JANET K. LUPA  
CERTIFIED SHORTHAND REPORTER  
ILLINOIS LICENSE NO. 84-2103

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LIST OF WITNESSES:  
R. SCHALK

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1           THE FOREPERSON:    Would you raise your right  
2     hand, please.

3                               (Witness duly sworn.)

4           MS. LANAHAN:   Ladies and gentlemen of the  
5     Grand Jury, I am Assistant State's Attorney  
6     Kathaleen Lanahan of the Homicide-Sex Unit.

7                       We are seeking a True Bill of  
8     Indictment against the defendant James Fletcher,  
9     also known as Arnold Dixon, for the offense of  
10    first degree murder committed against Willie  
11    Sorrell on or about December 21st, 1990, near  
12    5615 West Madison, Chicago, Cook County,  
13    Illinois.   The Grand Jury number is May 355.

14                   At this time I ask leave to call  
15    Detective Schalk.

16                   The Grand Jury does have the right to  
17    subpoena and question any person against whom the  
18    State's Attorney is seeking a Bill of Indictment,  
19    or any other person, and to obtain and examine  
20    any documents or transcripts relevant to the  
21    matter being prosecuted by the State's Attorney.

22                   R. SCHALK,  
23    having been first duly sworn, was examined and  
24    testified as follows:

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EXAMINATION

BY

MS. LANAHAN:

Q. Detective, state your name, star number, and unit of assignment?

A. Detective Raymond Schalk, Star No. 20718. I'm assigned to Area 5 Violent Crimes.

Q. And, detective, you have been sworn?

A. Yes, I have.

Q. Did your investigation reveal that the victim Willie Sorrell was alive prior to 1:25 p.m. on 12-21 of 1990?

A. Yes, he was.

Q. And that the victim Willie Sorrell and victim Edward Cooper were in the area of 5615 West Madison at 1:35 p.m. on 12-21 of 1990?

A. That's correct.

Q. And that the defendant with a co-defendant was also present at that time?

A. Yes, they were.

Q. That the defendant was armed with a gun?

A. Yes, he was.

Q. That the defendant and co-offender took

1 money from Edward Cooper at gunpoint?

2 A. Yes, they did.

3 Q. That as the defendant and co-offender  
4 fled, victim Edward Cooper chased the defendants?

5 A. Yes, he did.

6 Q. That the defendant James Fletcher fired  
7 at Edward Cooper?

8 A. That's correct.

9 Q. Edward Cooper -- gunfire was then  
10 exchanged?

11 A. Yes.

12 Q. And victim Willie Sorrell was shot in  
13 the head?

14 A. That's correct.

15 Q. That Dr. Stein of the Medical  
16 Examiner's office determined that the victim  
17 Willie Sorrell died as a result of a gunshot  
18 wound to the head?

19 A. Yes, he did.

20 Q. That the victim died on December 21st,  
21 1990?

22 A. Yes, he did.

23 Q. And what was the relationship between  
24 the victim Willie Sorrell and the defendant?

1           A.     There was no relationship.

2           Q.     And the victim Edward Cooper and the  
3 defendant?

4           A.     No relationship.

5           Q.     What is the basis of your testimony  
6 today?

7           A.     From the police reports and from my  
8 interviews with witnesses.

9           Q.     And Mr. Cooper, the surviving victim?

10          A.     Yes, that's correct.

11          MS. LANAHAN: I have no further questions.

12          THE FOREPERSON: Any questions from the  
13 jury? Thank you very much.

14                   (Witness excused.)

15                   (Whereupon the Grand Jury was  
16 left alone to deliberate,  
17 after which the following  
18 proceedings were had.)

19          THE FOREPERSON: True Bill.

20                   (Whereupon the above-entitled  
21 cause was continued  
22 for arraignment before  
23 the Presiding Judge of  
24 the Criminal Division.)

1       STATE OF ILLINOIS )  
2                               ) SS:  
3       COUNTY OF C O O K )  
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6                               I, JANET K. LUPA, a Certified  
7       Shorthand Reporter licensed to practice in the  
8       State of Illinois, do hereby certify that I  
9       reported in shorthand the proceedings had in the  
10      hearing of the above entitled cause; that I  
11      thereafter caused the foregoing to be transcribed  
12      into typewriting, which I hereby certify is a true  
13      and accurate transcript of the proceedings had  
14      before the Grand Jury of Cook County.

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16                               JANET K. LUPA, CSR  
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